

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

REBECCA K. WILSON, et al.,

Plaintiffs,

v.

Case No. 16-10659

5 CHOICES, LLC, et al.,

Defendants.

**ORDER SETTING BRIEFING SCHEDULE, SETTING HEARING DATE, AND
DENYING MOTIONS TO DISMISS WITHOUT PREJUDICE**

The court held a status conference off the record on December 7, 2016 in which counsel participated. Previously the court had entered an order requiring Plaintiffs to file a complaint which consolidated the claims at issue in this case with those alleged in a companion case filed by the same counsel, the reassignment of which was accepted by Judge Cleland. (Dkt. #36.) Several motions to dismiss remain pending, (Dkts. ## 3, 13, 14, 15, 26, 28), and a new Defendant has been added. At the status conference, the court discussed with counsel plans for renewed motions to dismiss in light of the 790 paragraph omnibus Second Amended Complaint, filed November 18, 2016, (Dkt. #37). As a new set of Motions to Dismiss will follow in light of the newly filed complaint, the outstanding motions are moot. The court will deny those motions without prejudice.

IT IS ORDERED that any Motion to Dismiss be filed on or before **Tuesday, January 31, 2017**. Plaintiffs' responsive briefs must be filed on or before **Tuesday, February 27, 2017**. Defendants' reply must follow according to the normal schedule,

pursuant to E.D. Mich. L.R. 7.1(e). The court shall hold a hearing on the motion on **April 19, 2017 AT 2:00 PM.**

IT IS FURTHER ORDERED that Defendants' Motions to Dismiss (Dkts. ## 3, 13, 14, 15, 26, 28) are DENIED without prejudice.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 7, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 7, 2016, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

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